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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/590,641	06/08/2000	Masahide Maruyama	21778.03800	1033

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EXAMINER

COLILLA, DANIEL JAMES

ART UNIT PAPER NUMBER

2854

DATE MAILED: 07/11/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/590,641

Applicant(s)

MARUYAMA, MASAHIDE

Examiner

Dan Colilla

Art Unit

2854

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9, 11, 13, 14 and 16-20 is/are pending in the application.
- 4a) Of the above claim(s) 1-9 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 13, 14 and 16 is/are rejected.
- 7) ☒ Claim(s) 11 and 17-20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 June 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

1. Prosecution of this application has been re-opened due to newly made claim objections and newly discovered prior art.

Claim Objections

2. Claims 11m 13-14, 16-20, are objected to because of the following informalities:

In claim 11, lines 8 and 10-11, the term “roll-like” has no antecedent basis in the claims.

In claim 11, line 11, it appears that “to” should be removed for proper grammar.

In claim 13, lines 2-3, the phrase, “for detecting a rotation of a paper spool” is indefinite since the detection portion does not detect a rotation of the paper spool.

In claim 13, line 10, it appears that “to” should be removed for proper grammar.

In claim 13, line 12, it appears that “to” should be removed for proper grammar.

In claim 14, lines 2-3, the phrase, “for detecting a rotation of a paper spool” is indefinite since the detection portion does not detect a rotation of the paper spool.

In claim 14, line 10, it appears that “to” should be removed for proper grammar.

In claim 14, line 12, it appears that “to” should be removed for proper grammar.

In claim 14, lines 3-4, “a printing paper” appears to be a double recitation since a printing paper has already been recited.

In claim 16, line 6, the term “roll-like” has no antecedent basis in the claims.

In claim 16, line 7, it appears that “to” should be removed for proper grammar.

In claim 16, line 9, it appears that “to” should be removed for proper grammar.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 13-14 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tapscott et al. in view of Takeuchi et al.

With respect to claims 13-14, Tapscott et al. discloses the claimed printer except for the presser portions. Tapscott et al. discloses a printer including a roll-like spool of printing paper 14, a detection portion 50 (shown at one side of the paper in Figure 2 of Tapscott et al.) on the shaft 32 of the printing paper 14, and a detection means 54 for detecting rotation of the spool as shown in Figure 3 of Tapscott et al. Further disclosed by Tapscott et al. is a control means 62 for determining the stopping of the paper roll, and a signal is sent to the operator on this condition (Tapscott et al., col. 7, lines 44-52). Also disclosed is the signaling of the operator when the paper reaches a "low medium" state (Tapscott et al., col. 9, lines 33-55). In this state a warning light is shown to alert the operator. Takeuchi et al. teaches a paper roll for a printer including a spool 4 and presser portions 5 and 5' as shown in Figure 15 of Takeuchi et al. It would have been obvious to combine the teaching of Takeuchi et al. with the printer disclosed by Tapscott et al. for the advantage of keeping the edges of the paper aligned as it unreels from the spool.

With respect to claim 16, Tapscott et al. in view of Takeuchi et al. discloses the method of using the above mentioned structure.

Allowable Subject Matter

5. Claim 11 and 17-20 are objected to as containing the above mentioned informalities, but would be allowable if rewritten to overcome these informalities to the satisfaction of the examiner.

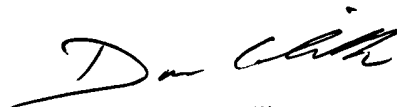
6. The following is a statement of reasons for the indication of allowable subject matter:

Claims 11 and 17-20 have been indicated as containing allowable subject matter because the prior art of record does not disclose or teach in combination the entire combination of a video printer with a detection portion disposed in a paper spool around which a printing paper is wound and control means for determining, based on the detection of paper spool rotation, whether the paper spool is approaching its end.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dan Colilla whose telephone number is (703) 308-2259. The examiner can normally be reached M-F, 8:30-5:30. Faxes regarding this application can be sent to (703) 746-4405.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached at (703)305-6619. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

June 30, 2003



Dan Colilla
Primary Examiner
Art Unit 2854